

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 78/284,192

For the Mark: BARONA

Filed: August 6, 2003

Published: June 8, 2004

07-12-04

U.S. Patent & TMO/TM Mail Rpt Dt. #78

TARGET BRANDS, INC.)

Opposer,)

v.)

WON YOUNG CHUNG,)

Applicant.)

Opposition No. _____

NOTICE OF OPPOSITION

Box TTAB/FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

I CERTIFY THAT, ON JULY 8, 2004, THIS PAPER IS BEING DEPOSITED
WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN
ENVELOPE ADDRESSED TO THE COMMISSIONER FOR TRADEMARKS,
2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3513.

Kim Carlson
Kim Carlson

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Opposer Target Brands, Inc. ("Opposer") is a Minnesota corporation having its principal place of business at 1000 Nicollet Mall, Minneapolis, MN 55403-2467.

Opposer believes that it will be damaged by registration of the mark in trademark application Serial No. 78/284,192, and hereby opposes the same.

As grounds of this opposition, it is alleged that:

1. Target Corporation, through its Target Stores division ("Target"), operates, among other things, a chain of family-oriented TARGET® discount department stores, now numbering in excess of 1,100 stores in more than 47 states.

2. Among the many branded items sold at the TARGET® stores, Target has sold a number of products under the MERONA brand, including, but not limited to, clothing, hosiery, socks, accessories, and jewelry.

3. The MERONA trademark is owned by the Opposer and is licensed to Target for Target's exclusive use.

4. Opposer is the owner of several trademark registrations for the MERONA trademark, including U.S. Registration No. 2,685,944 for women's hosiery and U.S. Registration No. 2,677,625 for, among other things, men's and women's socks. Opposer is also the owner of pending application Serial No. 76/386,235 for a variety of clothing items, including socks.

5. Target has used and advertised the MERONA trademark extensively throughout the United States. As a result, substantial and valuable goodwill and public recognition have been built up in the MERONA trademark.

6. Upon information and belief, Applicant Won Young Chung is an individual with a residence at 228th Street, Bayside, New York 11364.

7. Upon information and belief, on or about August 6, 2003, Applicant filed a trademark application, Serial No. 78/284,192, to register the trademark BARONA in International Class 25 for use in connection with "hosiery, pantyhose, socks, and knee-highs" (the "Application").

8. Applicant's BARONA trademark so resembles Opposer's MERONA trademark as to be likely, when used in connection with the goods identified in the Application as to cause confusion, to cause mistake, and/or to deceive.

9. Upon information and belief, the BARONA trademark cannot be registered consistent with Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

WHEREFORE, Opposer believes that it would be damaged by registration of Applicant's BARONA trademark, and requests that application Serial No. 78/284,192 be rejected, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

A duplicate of this Notice of Opposition is being filed herewith, together with filing a fee of \$300.00. If the amount submitted herewith is determined to be incorrect, the Commissioner may charge any additional fees or to credit any over payment to Deposit Account No. 06-0029.

Please address all correspondence to:

Eunice P. de Carvalho
Faegre & Benson LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402

Dated: July 8, 2004

FAEGRE & BENSON LLP,

By 
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Attorneys for Opposer
Target Brands, Inc.

TTAB

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TRANSMITTAL LETTER

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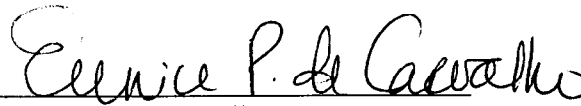
Enclosed for filing with the United States Patent and Trademark Office are the
documents listed below:

- ☒ The original and one copy of the Notice of Opposition;
- ☒ Credit card authorization form in the amount of \$300.00 (for 1 class); and
- ☒ Postcard
A self-addressed return postcard in accordance with T.M.E.P. Section
703 itemizing all of the above-referenced documents filed with the
United States Patent and Trademark Office.

Respectfully Submitted,

TARGET BRANDS, INC.

By:



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(612) 766-7000

Dated: July 8, 2004

cc: Shayne Brown

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